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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIELA
GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,
M.H., CECILIA DANIELA GONZÁLEZ
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HERNÁNDEZ, E.R., HENDRINA VIVAS
CASTILLO, A.C.A., SHERIKA BLANC, VILES
DORSAINVIL, and G.S.,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 3:25-cv-01766-EMC

**STIPULATION REGARDING CROSS-
MOTION BRIEFING SCHEDULING AND
[PROPOSED] ORDER**

Assigned to: Hon. Edward M. Chen

Complaint filed: February 19, 2025

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Pursuant to Civ. L.R. 6-1(a), 6-2, and 7-12, the parties, by and through their respective counsel, submit this stipulation regarding the cross-motion briefing schedule for the Parties' forthcoming Motions for Summary Judgment (collectively, "the Motions").

WHEREAS, Plaintiffs filed this action on February 19, 2025 (ECF No. 1) and an Amended Complaint on March 20, 2025 (ECF No. 74);

WHEREAS, Plaintiffs filed a Motion to Postpone Effective Agency Action ("Motion to Postpone") on February 20, 2025, the Court granted the Plaintiffs' Motion to Postpone on March 31, 2025 (ECF No. 93), and Defendants' appealed to the Ninth Circuit challenging the Court's postponement order on April 1, 2025 (ECF No. 94);

WHEREAS, the parties' briefing to the Ninth Circuit regarding Defendants' appeal of this Court's postponement order as to Venezuela is pending, and the hearing in the Ninth Circuit regarding Defendants' appeal is scheduled for the week of July 7, 2025;

WHEREAS, the parties filed their Joint Case Management Statement on April 16, 2025, in which Plaintiffs stated they may move for summary judgment with respect to both Venezuela and Haiti TPS decisions as soon as practicable (ECF No. 111 at 9);

WHEREAS, the Court held the initial case management conference on April 21, 2025 at 1:30 PM via videoconference, during which Defendants indicated they would also be moving for summary judgment, the parties discussed the forthcoming Motions, and the Court advised the parties to meet and confer regarding a cross-motion briefing schedule for the Motions;

WHEREAS, at the case management conference the Court also inquired whether Plaintiffs would be moving to postpone the effective date of the Haiti TPS decision;

WHEREAS, Plaintiffs' counsel and Defendants' counsel met and conferred on April 25, 2025 to discuss a cross-motion briefing schedule for the Motions, among other issues, and agreed to the proposed briefing schedule;

WHEREAS, during the meet and confer, in response to Plaintiffs' inquiry, Defendants advised that if Plaintiffs were to move to postpone the effective date of the Haiti TPS decision, Defendants would oppose the motion on (among other grounds), the ground that the Haiti TPS

decision did not give rise to irreparable harm;

WHEREAS, in light of Defendants’ position and in the interest of efficiency, conserving judicial resources, and narrowing the issues for decision, Plaintiffs’ current plan is to move for summary judgment and vacatur of Defendants’ Haiti TPS termination rather than postponement;

WHEREAS, this Court has not issued any order setting time regarding the cross-motion briefing schedule as the Motions are forthcoming, but did direct the parties at the initial case management conference to confer regarding a cross-motion briefing schedule, and so this request does not change an existing schedule for this case;

WHEREAS, the parties respectfully request that the Court grant the following stipulated briefing schedule for the parties' forthcoming Motions for Summary Judgment.

IT IS HEREBY STIPULATED AND AGREED, by the parties and subject to the approval of the Court:

- Plaintiffs shall file their Motion for Summary Judgment on May 26, 2025.
- Defendants shall file an Opposition to Plaintiffs’ Motion for Summary Judgment and their Motion for Summary Judgment up to and including June 10, 2025.
- Plaintiffs shall file their Reply in further support of their Motion for Summary Judgment and their Opposition to Defendants’ Motion for Summary Judgment up to and including June 20, 2025.
- Defendants shall file their Reply to Plaintiffs’ Opposition to Defendants’ Motion for Summary Judgment on June 27, 2025.
- The Court will hear argument on the Parties’ Motions for Summary Judgment on July 11, 2025.

IT IS SO STIPULATED.

Respectfully submitted,

1 Date: April 29, 2025

ACLU FOUNDATION
OF NORTHERN CALIFORNIA

2 /s/ Emilou MacLean

3 Emilou MacLean

Attorneys for Plaintiffs

4 Date: April 29 2025

U.S. DEPARTMENT OF JUSTICE

5 /s/ Sarah L. Vuong

6 Sarah L. Vuong

Attorneys for Defendants

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8 **SIGNATURE ATTESTATION**

9 Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that each of the other Signatories have
10 concurred in the filing of this document.

11 ACLU FOUNDATION
12 OF NORTHERN CALIFORNIA

13 /s/ Emilou MacLean

14 Emilou MacLean

15
16 **[PROPOSED] ORDER**

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18
19 Dated: _____, 2025

20 _____
The Honorable Edward M. Chen
United States District Judge